

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOON ROCKET INC., EXOTICS ON
ROOSEVELT CORP., SMOKER'S WORLD 1
CORP., STZ CONVENIENCE SHOP INC.,
SMOKE BASE CONVENIENCE STORE INC.,
BIG APPLE CONVENIENCE 2 CORP., LUSH
CONVENIENCE 161 INC., EMPIRE CITY
SHOP INC., QUICK SMART CONVENIENCE
CORP., MOTHER GASTON GOURMET DELI
CORP., S & M SNACKS CORP., 555 DELI CORP.,
LOUD PACK NY CORP., 175 GRAND
CONVENIENCE CORP., MAO SHOPPE CORP.,
22 CONVENIENT SHOP CORP., 125 RED EYE
INC., NOISE PACK CORP., VANWYCK MINI
MARKET CORP., OMEGA CONVENIENCE INC.,
RUSH HOUR EXOTICS CORP., 1452 ALPHA INC.,
GENERAL ZAZA LLC, 64 ST. CONVENIENCE
CORP., MOONSHOT EXOTIC CONVENIENT
CORP., VEGAN MAGIC INC., and FIRST
CHOICE CONVENIENCE CORP.,

**MOTION FOR
PRELIMINARY
INJUNCTION**

Case No.: 1:24-cv-4519

Plaintiffs,

v.

CITY OF NEW YORK, PRESTON NIBLACK,
COMMISSIONER NEW YORK CITY
DEPARTMENT OF FINANCE, NEW YORK CITY
SHERIFF ANTHONY MIRANDA, AND
ASIM REHMAN, COMMISSIONER NEW YORK
CITY OFFICE OF ADMINISTRATIVE TRIALS
AND HEARINGS,

Defendants.

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Upon the Class Action Complaint herein, the attached affirmation of Lance Lazzaro, sworn to on June 18, 2024, and the attached Memorandum of Law, Plaintiffs will move this Court on July 3, 2024, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, for a preliminary injunction enjoining Defendants herein, their agents, employees, and all persons acting in concert of participation with them, from enforcing or causing to be enforced the provisions of sections 7-551

and 7-552 of the New York City Administrative Code that permit the New York City Sheriff, or any other city agency, from issuing sealing orders that close businesses, while also rescinding any sealing order previously issued by the New York City Sheriff that closed Plaintiffs' businesses.

Unless restrained by this Court, Defendants will perform the acts referred to. Such action by Defendants will result in irreparable injury, loss and damage to Plaintiffs, as more particularly appears in the complaint herein and in the annexed Memorandum of Law attached hereto.

The issuance of an injunction herein will not cause undue inconvenience, loss or injury to Defendants or to the general public, but will prevent irreparable injury to Plaintiffs and will protect the public interest; and Plaintiffs will prevail at the trial on the merits.

PLEASE TAKE NOTICE that answering papers, if any, are required to be served upon the undersigned no later than July 1, 2024

Dated: June 19, 2024



LANCE LAZZARO

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